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TO	:	Commissioner for Patents Mail Stop: Appeal Brief-Patents
FROM	:	Oleg F. Kaplun, Esq. of Fay Kaplun & Marcin, LLP
DATE	:	April 16, 2008
SUBJECT	:	Wireless Division U.S. Patent Appln. Serial No. 10/649,207 for *Personal Area Networks* Inventor(s): Beach Our Ref.: 40146/26802

NUMBER OF PAGES INCLUDING COVER : 24

MESSAGE:

Please see attached.

Thank you.

Attorney Docket No. 40146/26802 (1355)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s)	:	Beach
Serial No.	:	10/649,207
Filing Date	:	August 27, 2003
For	:	Personal Area Networks
Group Art Unit	:	2616
Confirmation No.	:	5130
Examiner	:	Christopher P. Grey

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By: Oleg F. Kaplun, Reg. No. 45,559 Date: April 16, 2008

TRANSMITTAL

In support to the Notice of Appeal filed on February 27, 2008 transmitted herewith please find an Appeal Brief for filing in the above-identified application. Please charge the Credit Card of **Fay Kaplun & Marcin, LLP** in the amount of $510.00 (PTO-Form 2038 is enclosed). The Commissioner is hereby authorized to charge the **Deposit Account of Fay Kaplun & Marcin, LLP NO. 50-1492** for any additional required fees. A copy of this paper is enclosed for that purpose.

Respectfully submitted,

Dated: April 16, 2008

By: _____
Oleg F. Kaplun, (Reg. No. 45,559)

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PATENT
Attorney Docket No.: 40146-26802

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	)	
	)	
BEACH	)	
	)	
Serial No.: 10/649,207	)	Group Art Unit: 2616
	)	
Filed: August 27, 2003	)	Examiner: C. Grey
	)	
For: PERSONAL AREA NETWORKS	)	
	)	
Confirmation No. 5130	)	

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APPEAL BRIEF UNDER 37 C.F.R. § 41.37

In support of the Notice of Appeal filed on February 27, 2008, and pursuant to 37 C.F.R. § 41.37, Appellant presents this appeal brief in the above-captioned application.

This is an appeal to the Board of Patent Appeals and Interferences from the Examiner's final rejection of claims 1-25 in the Final Office Action dated December 5, 2007.

The appealed claims are set forth in the attached Claims Appendix.

1. Real Party in Interest

This application is assigned to Symbol Technologies, Inc. which is a wholly owned subsidiary of Motorola Inc., the real party in interest.

2. Related Appeals and Interferences

There are no other appeals or interferences which would directly affect, be directly affected, or have a bearing on the instant appeal.

3. Status of the Claims

Claims 1-25 have been rejected in the final Office Action. Claims 1-25 are the subject of this appeal.

4. Status of Amendments

All amendments submitted by the Appellant have been entered.

5. Summary of Claimed Subject Matter

The following summary refers to the specification and identifies certain claim limitations with the reference characters of one or more drawings. The association in this summary of a claim limitation with a particular reference character, figure, or passage from the specification is only exemplary and is not intended to limit the scope of the claims.

The present invention, as exemplified by claim 1, relates to a method for providing wireless data communications between a mobile unit 11 and an access point 20 of a network 18 and between the mobile unit 11 and at least one peripheral device 22A or 22B. (Figures 1-3). The method involves providing the mobile unit 11 with a data communications device 14. (Specification at paragraph [0024]; Figure 1). The data communications device 14 includes an interface to a host processor 12 of the mobile unit 11. (Specification at [0035] and [0037]; Figure 2). A data communications digital processor 26 includes a control program, and a radio transmitter and receiver. (Specification at [0036]; Figure 2).

According to this method, the data communications device 14 is operated in a first WLAN mode to associate with the access point 20 and engage in data communications with the network 18 via the access point 20 using the radio transmitter and receiver. (Specification at [0029]). Further, the data communications device 14 is operated in a second personal area communications mode, wherein the data communications device 14 communicates with at least one peripheral device 22A or 22B using the radio transmitter and receiver. (Specification at [0028] and [0029]).

The present invention, as recited in claim 8, relates to a system for providing wireless data communications that includes at least one access point 20 connected to at least one computer 16 for providing wireless data communications between the at least one computer 16 and at least one mobile unit 11. (Specification at paragraph [0024]; Figure 1). The access point 20 uses a first data communications protocol to receive association requests from mobile units 11 and to form one or more associations with mobile units 11 for data communications therewith. (Specification at [0029]). The system includes at least one mobile unit 11 including a host

processor 12 and a first data communications device 14, the first data communications device 14 including a first data communications digital processor 26 having a first control program and a first radio for sending and receiving data. (Figure 2; specification at [0036]). At least one peripheral device 22A or 22B includes a second data communications device 64, the second data communications device 64 including a second data communications digital processor having a second control program and a second radio. (Figure 4; specification at [0028]). The first control program is arranged to send association requests to access points 20 using the first radio and to provide data communications to and from the computer 16 via at least one access point 20 connected thereto; the first control program communicates directly with at least one peripheral device 22A or 22B. (Figures 2 and 4; specification at [0025] and [0027]).

The present invention, as recited in claim 18, relates to a mobile unit 11 including a host processor 12 and a data communications device 14. (Figure 2; specification at [0035]). The data communications device 14 includes a data communications digital processor 26 having a control program and a radio for sending and receiving data. (Id.). The control program is arranged to send association requests to access points 20 according to a first data communications protocol using said radio and to provide data communications to and from a computer 16 via at least one access point 20 connected thereto. (Figure 1; specification at [0029]). The control program includes an initiating program whereby said data communication device 14 receives initiation requests from a peripheral device 22A or 22B and forms a permanent association therewith using a modification of said first data communication protocol. (Figure 1; specification at [0028]).

The present invention, as recited in claim 21, relates to a peripheral device 22A or 22B including a data communications device, the data communications device including a data communications digital processor 64 having a control program and a radio, the control program being arranged to cause the data communications device to permanently associate with a data communications device 14 on a mobile unit 11 and conduct data communications therewith. (Figure 4; specification at [0041]).

6. Ground of Rejection to be Reviewed on Appeal

I. Whether claims 1 and 5 are anticipated under 35 U.S.C. § 102(e) by United States Published Patent Application No. 20010010689 to Awater.

II. Whether claims 2-4, 6, 8, 9, 14-17, 21, and 25 are unpatentable under 35 U.S.C. § 103(a) over Awater.

III. Whether claim 7 is unpatentable under 35 U.S.C. § 103(a) over Awater in view of United States Patent No. 6,628,675 to Neufeld.

IV. Whether claims 10-13, 18, 19, 20, and 22-24 are unpatentable under 35 U.S.C. § 103(a) over Awater in view of United States Published Patent Application No. 20030110484 to Famolari.

7. Argument

I. The § 102 Awater Rejection

The Examiner has rejected claims 1 and 5 under 35 U.S.C. § 102(e) as unpatentable over U.S. Pat. Pub. No. 2001/0010689 to Awater et al. (hereinafter "Awater"). (See 12/5/07 Office Action, p. 2).

Awater discloses an interoperability device in a communication system which integrates an IEEE 802.11 transceiver and a Bluetooth transceiver. The device prevents one transceiver from transmitting while the other is receiving, which causes interference at the receiving transceiver. (See Awater, abstract). In one embodiment, Awater discloses a dual mode transceiver including a combined IEEE 802.11 physical layer functional element and Bluetooth physical layer functional element. (See Id., col. 4, ¶ [0057]).

Claim 1 recites providing a mobile unit including a data communications device that has a radio transmitter and receiver, "operating said data communications device in a first WLAN mode to associate with said access point and engage in data communications with said network via said access point *using said radio transmitter and receiver*," and "operating said data communications device in a second personal area communications mode, wherein said data communications device communicates with said at least one peripheral device *using said radio transmitter and receiver*." That is, the radio transmitter and receiver used for the communication in the first WLAN mode is used as well in the second personal area communications mode. Appellant maintains that Awater does not disclose or suggest this feature of claim 1.

The Examiner asserts that the dual functional element 200 corresponds to the radio transmitter and receiver recited in claim 1. (See 12/5/07 Office Action, p. 2). The Examiner further implies that multiple transceivers are not present in the embodiment of Awater using the dual functional element 200. (See Id., p. 12). However, it is respectfully submitted that the Examiner has mischaracterized the function of the dual functional element 200. Specifically, the dual functional element 200 is *not* a transceiver, but is merely an intermediary serving to ensure that one transceiver does not transmit while the other transceiver is receiving (which is an explicit goal set out by Awater). The dual functional element 200 of Awater merely replaces the IEEE 802.11 physical functional element 112 and the Bluetooth physical layer functional element 114 of the first embodiment of Awater. That is, the functionality of the dual functional element 200 is substantially similar to either of the functional elements 112, 114 with respect to a single type of transmission/reception. The functional elements 112, 114 of Awater serve to *forward* the packets from the IEEE 802.11 MAC functional element 108 and the Bluetooth baseband control functional element 110, respectively, to an antenna. In other words, it is the IEEE 802.11 MAC functional element 108 and the Bluetooth baseband control functional element 110 that would be the transceiver in the device of Awater. That is, two transceivers are always present in the device of Awater despite the functional element being separated or combined.

To further bolster this interpretation of Awater, it is respectfully noted that, in its entirety, Awater refers to two transceivers. For example, the "device prevents ... one transceiver from transmitting while the other is receiving." (See Awater, p. 3, ¶ [0034]). Awater includes no mention that a single transceiver is used for both types of transmissions, nor does Awater include a teaching that a single transceiver is modified or adjusted for the two types of transmissions.

Thus, it is respectfully submitted that Awater does not disclose or suggest a mobile unit including a data communications device that has a radio transmitter and receiver, "operating said data communications device in a first WLAN mode to associate with said access point and engage in data communications with said network via said access point *using said radio transmitter and receiver*," and "operating said data communications device in a second personal area communications mode, wherein said data communications device communicates with said at least one peripheral device *using said radio transmitter and receiver*," as recited in claim 1. Accordingly, it is respectfully submitted that claim 1 is allowable and the Examiner should withdraw the 35 U.S.C. § 102(e) rejection for this claim. Because claim 5 depends from and, therefore, includes all the limitations of claim 1, it is respectfully submitted that this claim is also allowable.

II. The § 103 Awater Rejection

The Examiner has rejected claims 2-4, 6, 8-9, 14-17, 21, and 25 under 35 U.S.C. § 103(a) as unpatentable over Awater. (See 12/5/07 Office Action, p. 3). Awater was discussed above.

As discussed above, Awater does not disclose or suggest a mobile unit including a data communications device that has a radio transmitter and receiver, "operating said data communications device in a first WLAN mode to associate with said access point and engage in data communications with said network via said access point *using said radio transmitter and receiver*," and "operating said data communications device in a second personal area communications mode, wherein said data communications device communicates with said at least one peripheral device *using said radio transmitter and receiver*," as recited in claim 11.

Because claims 2-4 and 6 depend from and, therefore, include all the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claim 8 recites "wherein said first control program communicates directly with said at least one peripheral device." The Examiner asserts that this recitation is disclosed in Awater. (See Id. at p. 6). The Examiner states that "the mobile [node] is able to connect to another device via one universal radio link, where that radio link may be to a peripheral interface" where the radio link indicates a direct link. (See Id., at p. 12). Because claim 8 recites that the first control program directly communicates with the peripheral device, when viewed from a generic standpoint, the mobile unit directly communicates with the peripheral device. However, claim 8 explicitly recites that it is the *first control program* that directly communicates. Awater includes no disclosure regarding this feature. The Examiner associates the first control program of claim 8 with the firmware in Awater. (See 12/5/07 Office Action, p. 5, citing Awater, p. 7, ¶ [0096]). Although there is only a singular mention of this firmware in Awater that raises the issue of whether the firmware even corresponds to the first control program of claim 8, there is no further description in Awater as to the firmware and its interconnectivities with respect to peripheral devices.

Thus, it is respectfully submitted that Awater does not disclose or suggest "wherein said first control program communicates directly with said at least one peripheral device," as recited in claim 8. Accordingly, it is respectfully submitted that claim 8 is allowable, and the Examiner should withdraw the 35 U.S.C. § 103(a) rejection for this claim. Because claims 9 and 14-17 depend from and, therefore, include all the limitations of claim 8, it is respectfully submitted that these claims are also allowable.

Claim 21 recites "wherein said control program is arranged to cause said data communications device to permanently associate with a data communications device on a mobile unit and conduct data communications therewith." The Examiner asserts that this recitation of claim 21 is disclosed in Awater. (See 12/5/07 Office Action, p. 7). The Examiner further asserts that the "connection [of two devices] is equivalent to an association according to the broad

interpretation, and furthermore, that association is permanent for the life of the connection." (See Id. at p. 13). It appears that the Examiner takes the broadest interpretation of "permanent" to be established for each time two devices are connected (*i.e.*, during the life of the connection). However, it is respectfully submitted that this interpretation is incorrect in the context of claim 21. Initially, a "permanent" association and simply an "association" would have exactly the same meaning according to the Examiner. Because "permanently associate" is explicitly recited in claim 21, it is clear that the association relates to when the peripheral device connects to the mobile unit. Furthermore, even taking the broadest interpretation of "permanently associate," it is respectfully submitted that to view this phrase as encompassing an association lasting only during the life of the connection is misplaced. Specifically, claim 21 recites that "said control program is arranged to cause" the permanent association. Thus, the context of this recitation indicates that the association is related to when the peripheral device connects to the mobile unit and *not* during the "life" of the connection.

Thus, it is respectfully submitted that Awater does not disclose or suggest "wherein said control program is arranged to cause said data communications device to permanently associate with a data communications device on a mobile unit and conduct data communications therewith," as recited in claim 21. Accordingly, it is respectfully submitted that claim 21 is allowable and the Examiner should withdraw the 35 U.S.C. § 103(a) rejection for this claim. Because claim 25 depends from and, therefore, includes all the limitations of claim 21, it is respectfully submitted that this claim is also allowable.

III. The § 103 Awater- Neufeld Rejection

The Examiner has rejected claim 7 under 35 U.S.C. § 103(a) as unpatentable over Awater in view of U.S. Pat. No. 6,628,675 to Neufeld. (See 12/5/07 Office Action, p. 8). Awater was discussed above.

As discussed above, Awater does not disclose or suggest a mobile unit including a data communications device that has a radio transmitter and receiver, "operating said data

communications device in a first WLAN mode to associate with said access point and engage in data communications with said network via said access point *using said radio transmitter and receiver*," and "operating said data communications device in a second personal area communications mode, wherein said data communications device communicates with said at least one peripheral device *using said radio transmitter and receiver*," as recited in claim 1. Neufeld also does not disclose or suggest this recitation of claim 1. Thus, it is respectfully submitted that neither Awater nor Neufeld, either alone or in combination, discloses or suggests this recitation of claim 1. Because claim 7 depends from and, therefore, includes all the limitations of claim 1, it is respectfully submitted that this claim is also allowable.

IV. The § 103 Awater-Famolari Rejection

The Examiner has rejected claims 10-13, 18-20, and 22-24 under 35 U.S.C. § 103(a) as unpatentable over Awater in view of U.S. Pat. Pub. No. 2003/0110484 to Famolari. (See 12/5/07 Office Action, p. 8). Awater was discussed above.

As discussed above, Awater does not disclose or suggest "wherein said first control program communicates directly with said at least one peripheral device," as recited in claim 8. Famolari also does not disclose or suggest this recitation of claim 8. Thus, it is respectfully submitted that neither Awater nor Famolari, either alone or in combination, discloses or suggests this recitation of claim 8. Because claims 10-13 depend from and, therefore, include all the limitations of claim 8, it is respectfully submitted that these claims are also allowable.

As discussed above, Awater does not disclose or suggest "wherein said control program is arranged to cause said data communications device to permanently associate with a data communications device on a mobile unit and conduct data communications therewith," as recited in claim 21. Famolari also does not disclose or suggest this recitation of claim 21. Thus, it is respectfully submitted that neither Awater nor Famolari, either alone or in combination, discloses or suggests this recitation of claim 21. Because claims 22-24 depend from and, therefore,

include all the limitations of claim 21, it is respectfully submitted that these claims are also allowable.

The Examiner correctly stated that Awater does not disclose "wherein said control program includes an initiating program whereby said data communication device receives initiation requests from a peripheral device and forms a permanent association therewith using a modification of said first data communication protocol," as recited in claim 18. The Examiner attempts to cure this deficiency with Famolari. The Examiner asserts a substantially similar argument for the phrase "permanent association" as the Examiner used in reference to claim 21. As discussed above, Awater does not disclose or suggest "permanent association." However, in this instance, the Examiner asserts that Famolari allegedly establishes the permanent association as a Bluetooth connection is allegedly created between a terminal and a device. As discussed above, "permanent association" relates to when the peripheral device connects to the mobile unit and *not* related to the "life" of the connection. Like Awater, Famolari also does not disclose or suggest "permanent association" as discussed above with reference to claim 21. Furthermore, the above recitation of claim 21 also includes further modifiers that bolster the fact that "permanent association" relates to when the peripheral device connects to the mobile unit (which Appellant asserts are not necessary). Specifically, the above recitation of claim 21 relates to initiating programs and initiating requests. Thus, it is clear that the time frame to be viewed is not solely *during* the life of the connection.

Thus, it is respectfully submitted that neither Awater nor Famolari, either alone or in combination, discloses or suggests "wherein said control program includes an initiating program whereby said data communication device receives initiation requests from a peripheral device and forms a permanent association therewith using a modification of said first data communication protocol," as recited in claim 18. Accordingly, it is respectfully submitted that claim 18 is allowable and the Examiner should withdraw the 35 U.S.C. § 103(a) rejection for this claim. Because claims 19-20 depend from and, therefore, include all the limitations of claim 18, it is respectfully submitted that these claims are also allowable.

It is respectfully noted that it appears the Examiner is taking too many liberties when viewing recitations of claims in the broadest interpretation. Even assuming the Examiner's interpretation of "permanent association" is valid (which Appellant does not concede), the Examiner's interpretation of modification is clearly invalid. With the reference to the rejection of claim 21, the Examiner asserts that simply because the Bluetooth protocol and the 802.11 protocol relate to a wireless communication with a destination device, they are merely "modifications" of one another. (See 12/5/07 Office Action, p. 11). However, it is abundantly clear to those skilled in the art that these two protocols are *not* simply modifications to one another. In fact, they are wholly different technologies that require different components to achieve the purpose set out therein; designed with different intents; include different features due to the different components and intents; etc. This is seen clearly in the distinct transceivers and respective components for the Bluetooth protocol and the 802.11 protocol in Awater. According to the Examiner's interpretation of modification, satellite technology may also be viewed to fall within a "modification" of Bluetooth. A modification also includes an implication that the basic ideas including technological bases are substantially similar. A modified protocol would, therefore, function in a substantially similar manner as the original protocol with the additional modification. Thus, it is also respectfully submitted that neither Awater nor Famolari, either alone or in combination, discloses or suggests "a modification of said first data communication protocol," as recited in claim 21. Accordingly, it is respectfully submitted that claim 21 and all depending claims (claims 19-20) are allowable for at least these further reasons.

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Attorney Docket No.: 40146 - 26802

8. Conclusions

For the reasons set forth above, Appellant respectfully requests that the Board reverse the final rejection of the claims by the Examiner and indicate that all pending claims are allowable.

Respectfully submitted,

Date: 4/16/08 By: _____
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CLAIMS APPENDIX

1. (Previously Presented) A method for providing wireless data communications between a mobile unit and an access point of a network and between said mobile unit and at least one peripheral device, comprising:

providing said mobile unit with a data communications device, said data communications device including an interface to a host processor of said mobile unit, a data communications digital processor including a control program, and a radio transmitter and receiver;

operating said data communications device in a first WLAN mode to associate with said access point and engage in data communications with said network via said access point using said radio transmitter and receiver;

operating said data communications device in a second personal area communications mode, wherein said data communications device communicates with said at least one peripheral device using said radio transmitter and receiver.

2. (Original) A method as specified in claim 1 wherein said data communications device operating in said first WLAN mode uses a first communications protocol and said data communications device operating in said second personal area communications mode communicates with said at least one peripheral device using a modification of said first communications protocol.

3. (Original) A method as specified in claim 1 wherein said second mode includes operating said data communications device as a master device and permanently associating with said at least one peripheral device.

4. (Original) A method as specified in claim 1 wherein operating said data communications device in said second mode includes operating said radio transmitter at a selected power level

lower than a power level used for operating in said first data communications mode.

5. (Original) A method as specified in claim 1 further wherein said control program is arranged to operate said data communications device in said first and said second modes.

6. (Original) A method as specified in claim 1 wherein operating said data communications device in said second mode includes re-associating with said at least one peripheral device.

7. (Original) A method as specified in claim 1 wherein said data communication device includes a power saving operational mode wherein said device is inactive for selected periods of time and wherein said control program includes instructions to cause said data communications device to synchronize said selected periods of time with said peripheral device.

8. (Previously Presented) A system for providing wireless data communications, comprising:
at least one access point connected to at least one computer for providing wireless data communications between said at least one computer and at least one mobile unit, said access point using a first data communications protocol to receive association requests from mobile units and to form one or more associations with mobile units for data communications therewith;

at least one mobile unit including a host processor and a first data communications device, said first data communications device including a first data communications digital processor having a first control program and a first radio for sending and receiving data;

at least one peripheral device including a second data communications device, said second data communications device including a second data communications digital processor having a second control program and a second radio;

wherein said first control program is arranged to send association requests to access points using said first radio and to provide data communications to and from said computer via at least one access point connected thereto;

wherein said first control program communicates directly with said at least one peripheral device.

9. (Original) A system as specified in claim 8 wherein said access point acts as a master device and permanently associates with said at least one peripheral device.

10. (Original) A system as specified in claim 8 wherein said first control program includes an initiating program whereby said first data communication device receives initiation requests from said second data communications device and forms a permanent association therewith using a modification of said first communication protocol.

11. (Original) A system as specified in claim 8 wherein said first control program includes a first reassociation program whereby said first communication device receives reassociation requests from said at least one peripheral device permanently associated therewith, and whereby said first communication device thereafter engages in data communications with said at least one peripheral device.

12. (Original) A system as specified in claim 11 wherein said first reassociation program is operative when said mobile unit is powered up and wherein said at least one peripheral device has previously become permanently associated with said first communication device.

13. (Original) A system as specified in claim 11 wherein said second control program includes a second reassociation program, and wherein said second reassociation program is operative to cause said second data communications device to send reassociation requests when said at least one peripheral device is powered up and wherein said at least one peripheral device has previously become permanently associated with said first communication device.

14. (Original) A system as specified in claim 8, wherein said second control program includes a network communication program to cause said at least one peripheral device to become associated with an access point connected to a network including said at least one computer and to engage in data communications using said first communications protocol.

15. (Original) A system as specified in claim 14 wherein said first control program is arranged to cause said first data communications device to communicate directly to said peripheral device when said first communications device is in direct communication with said second communication device and to communicate with said second communication device via said network when said first communication device is not in direct communication with said second communication device.

16. (Original) A system as specified in claim 14 wherein said second data communications device includes a radio transmitter arranged to transmit at a first higher power level when communicating with an access point and at a second lower power level when communicating directly with an associated mobile unit.

17. (Original) A system as specified in claim 11 wherein said first data communications device includes a radio transmitter arranged to transmit at a first higher power level when communicating with said at least one access point using said first data communications protocol and to transmit at a second lower power level when communicating directly with an associated peripheral device.

18. (Original) A mobile unit including a host processor and a data communications device, said data communications device including a data communications digital processor having a control program and a radio for sending and receiving data, wherein said control program is arranged to send association requests to access points according to a first data communications

protocol using said radio and to provide data communications to and from a computer via at least one access point connected thereto, and wherein said control program includes an initiating program whereby said data communication device receives initiation requests from a peripheral device and forms a permanent association therewith using a modification of said first data communication protocol.

19. (Original) A mobile unit as specified in claim 18 wherein said control program includes a reassociation program whereby said communication device receives reassociation requests from said peripheral device permanently associated therewith, and whereby said first communication device thereafter engages in data communications with said peripheral device.

20. (Original) A mobile unit as specified in claim 19 wherein said reassociation program is operative when said mobile unit is powered up.

21. (Original) A peripheral device including a data communications device, said data communications device including a data communications digital processor having a control program and a radio, wherein said control program is arranged to cause said data communications device to permanently associate with a data communications device on a mobile unit and conduct data communications therewith.

22. (Original) A peripheral device as specified in claim 21 wherein said control program is further arranged to cause said communications device to send reassociation requests and to reassociate with said mobile unit communications device.

23. (Original) A peripheral device as specified in claim 22 wherein said control program is arranged to cause said communications device to permanently associate with said mobile unit communications device upon initial operation and to send said reassociation requests upon

subsequent power-up of said peripheral device.

24. (Original) A peripheral device as specified in claim 23 wherein said control program is arranged to send said reassociation requests in response to a beam signal from said mobile unit after it fails to receive data communications signals from said mobile unit.

25. (Original) A peripheral device as specified in claim 21 wherein said control program is further arranged to cause said communication device to associate with an access point of a network.

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EVIDENCE APPENDIX

No evidence has been entered or relied upon in the present appeal.

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Attorney Docket No.: 40146 - 26802

RELATED PROCEEDING APPENDIX

No decisions have been rendered regarding the present appeal or any proceedings related thereto.